

KAGEN, CASPERSEN & BOGART PLLC

ATTORNEYS ADMITTED IN NEW YORK, NEW JERSEY AND CALIFORNIA

757 THIRD AVENUE, 20TH FLOOR
NEW YORK, NEW YORK 10017
(212) 880-2045
(646) 304-7879 (FACSIMILE)

December 13, 2021

Via ECF:

Hon. Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10017
ALCarterNYSDChambers@nysd.uscourts.gov

Re: *In Re Bit Digital, Inc., Securities Litigation* (1:21-cv-00515-ALC):
Defendants' Request for a Three-Week Extension to File Their Reply Brief

Dear Judge Carter:

I am counsel for Defendants in the above-referenced action and write to request a three-week extension of Defendants' deadline to respond to Plaintiff's Memorandum of Law in Opposition to our Motion to Dismiss. Regrettably, last night one of my attorneys working on this case was incapacitated by illness – which the attorney suffering believes to be a variant of COVID-19. It is our further understanding that this attorney will take a number of weeks to recover. We therefore respectfully request this three-week extension to allow him to both fully recover and draft our reply.

I have already conferred with Plaintiff's attorney Jacob Walker, via email, and he has consented to this three-week extension.

As the Court may recall, Defendants' deadline to respond to Plaintiff's brief was initially set to be December 17, 2021. Accordingly, Defendants respectfully request that their deadline to respond to Plaintiff's Memorandum of Law in Opposition to our Motion to Dismiss be extended to January 7, 2022. Given the imminent nature of the upcoming deadline, we would appreciate your earliest consideration.

Respectfully Submitted,


Stuart Kagen

Cc (via ECF): All Counsel of Record